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## Dawaiian Gazette.

WEDNESDAY, DECEMBER 19, 1883. Our Paris Letter

DUMAN. Wind and weather permitting, the statue Dumas pers will be inaugurated on the 4th Sovember, on the place Malesherbes, iscing teissonnier's studio and cheek by jowl with Sara Bernhardt's wigwam. At that coremon colitical lions and lambs will meet in peace a celebrity who amused France so long, and whose works will continue to do so, despite ew constitutions and novelists in euro, for new constitutions and novelists is ever, for many years to come. Dumas died at the ago of 67, in December, 1870, at his son's resi-dence, Pays, near Dieppe, and his remains were later definitely interred at Villers Catter-els, where he was born. His grand-father, who was a Marquis, married an Africau re-gress, that which explained the woully nature of his locks, and the gingerbread color of his features. His father was a general who left his mark during the wars of the revolution and the empire. Dumas lost his father when feur years old; the widow was left with one son and two daughters, plenty of debts and no four years old; the widow was left with one sen and two daughters, plenty of debts and no income. Dumas never received any education in the proper seuse of the word; a neighboring abbe tangth him the rudiments of Latin for executing his errands; but he never could teach him the four Rts. At 15 he entered as clerk in a notary's office. Here he was taught to write and that necomplishment made his forture.

pinces and other students in parce. The eman-cipation of woman by meerschamms and cigars is an unexpected solution.

Mr. Banset, chemist, claims to have dis-covered a means of producing electricity at a monitral cost, and boxing it up in accumula-tors without any sensible loss. If all that be true, something like a philosophers' stone shall have been found.

Awe Struck.

# A San Francisco paper states that Paul Neumann Esq., is responsible for the following: "I was going along the other evening, when savage dog flew out on me, evidently ready o read me to pieces. Now what d'ye suppose 4250"

"I was going along the other evening, when a savage dog flew out on me, evidently ready to rend me to pieces. Now what d'ye suppose I dis?"

"Wei a bit of it. I simply lifted my hat. Den't laugh. The dog stopped looked at me, growled, and finally crouched back to the doorstep and began wagging his tail. I have done the same thing over and over again with the same result."

"This is how I figure it out." said Mr. Neumann. "Dogs, in my opinion, think—in a crude way. They see a man, such as I, walking abong, say with a plug hat on his head, and so forth. To him I present a complete picture, just as a dog with flapping cars, swishing tail and four legs presents one equally occuplette. Now, mark! The four-footed picture counset, so to speak, disintegrate. No dog ever saw another take off his tail, or lay down his cars, or throw away one of his hind legs. This burnan apparition suddenly begins to take himself to pieces. He lifts off his hat. The deg don't know what is coming next, perhaps. He begins to think. He is overswed.

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THE GAZETTE MANDAMUS. Supreme Court of the Hawaiian Islands-At Chambers.

H. GRIEVE AND A. T. ATEKNOW V. CHAS. T. GULDIS. MUNICIPE DEPARTMENT OF THE INTERIOR.

on the plaintiffs' aworn petition, to show cause why a writ of mandamus should not issue to the lefendant, requiring him to present to the hing in Privy Council the plaintiffs' polition for a char-

See King vs. Brockrock and Abergaverring Canvi s, 3 Ad. & Ellis, pp. 217–22–3. High on Ettrior-nary Legal Benedies, Sec. 13, O and V. R. R. s, vs. Plumas Go., 37 Cal. 254-62.

These grounds are in substance that the Courtestanted grant a mandamus because there is no law-or statute, as claimed, which requires there is no law-or statute, as claimed, which requires to the King in Privy Council, and that whether such prayer shall be so presented roots in the judgment attid discretion of the defendant, and this Court cannot command him to present it.

The authorities are ample to show, and it is conceased by the plantiffic course that if the set of presentation saked is a matter word by law in the pidgment and discretion of the defendant, the writ of mandamus cannot be issued. In one branch of the argument of the course discretion in the property of the defendant they claim, though increasistant with other parties of it, that it is clostful window with other parties of it, that it is clostful window in the country of the council of the council of the country of the property of the parties of the property o

mandamae could be assued by any court agains the King or Queet.

In the case of the Stain of Mississippo vs. John in the traited States Supreme Court, when an in the United States Supreme Court, when in higherton was sought against the President of the United States to restrain him from carrying out extent him has claimed to be involutional (See 4 Wallace, p. 473-98). Chief Jussice Chassaid: "We shall limit our inquiry to the question presented by the objection (that his duty involves a matter of discretion) without expressing any opinion on the brooker issues discussed in argument, shetcher, in sury case, the President of this court, to perform a purely ministering the trained of the court of the Curton and the court of the court of the court of the States, the court of the court of the State. The opposition opposed from the sasting this ware seen to be massed on scatter this ware seen to be successful this ware seen to be successful this ware seen to be massed on scatter that the courts of the State the courts of the scate of the second of the State. The opposition of the State of the scate appriors encoded from to anothin this were seen it we hased on satind principles. However, High in Sec. 120, says that the court of Arhanisas, Georgia, Hilliants, Lourisians, Mains Garage, Hilliants, Carrieras, Mains Hinnesson, New Servey, and Hhode Selton, have held that no mandames could state spanish the overnor of a State in any case.

The question, therefore, of the amendating on the supreme head of a State or country be the left of mandamus is strength modeled, and worst to outsidered in doubt.

But that is not the constitute here, and in some

in by law, in the case of Marbury vs. Madison, I Grand S. S. C. R., 187, decided in February, 1846, Chysico Maychall smil, "11: is not by the office of rise of the control of the control

ined."
In these clear words he struck the key note of I that has been decided since on this point is Superno Court of the Unified States, and is at tase it was held that James Madison, the producty of State, should dedree to William

Sorretary of Scate, should should solver to William Marbury his commission as a justice of the peak of the countries of the peak of the countries of the peak of the country of Washington, in the district Columbia, to which he was entitled by Iaw, as which being in the ensetely of the Secretary, was bound to deliver in the executes of a pure washed being in the ensetely of the Secretary, was bound to deliver in the executes of a pure ministernal duty.

The question then is, and the counts for the distribution of the set required by the planning with the distribution of the set required by the planning of the hefendant in this case is a purely ministerial a stiff law requires thin to perform, or an esting in the pagement and discretion, and it is intituded that if the act required is an initiaterial a sandamis must income income.

Article II of the Constitution provides as follows:

"The King conducts His Generalization for the common good; and not for the profit honor or private interest of unity one man, family or class of man among His subjects."

Article II gravities.

Each interest of society has a right to be protected in the enjoyment of his life, liberty, and graperly seconding to law."

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egislature."
These are all the statutes which directly relate to stron at issue.

childred that by the latter Section the
childred that he set whether or not
seen a prayer for a charter to the Kin Council. Insumed, as the section does
. I was mable to believe that it can b

g discretion of which we retire to be exercised by and with the period to be exercised by and with the second of fire here is Pary Canonil, Ut as placed himself in a position to receive and consent, under the Section, here no discretion. If then he rejects the pad declines to grant the charter, or if it without presentation he has of his excitation to the large advice and consent without the King's advice and consent to the section.

a in the orm at our or a charter who greented by his people, and the sink presentations would become utterly a

of which by his just predecessor source him with humor.

The law is no respectar of persons. I have no deallst, as a member of His Majorsty's impless Court, that he has every disposition fairly and im-prainably to carry out the law.

Without the examination of authorities I have no death, upon priain reason, hutler the sections of the color referred to, and in accordance with the provisions of the constitution, that the Min-nies of the Interior, on the filling of a prove-for a charter, is bound to put kinself in the position to sacurise the affected in to prove the tis, and this he can only do by presenting it to the King in Privy Connell.

Dut the authorities are abundant to show that in officer who has a discretion may be compelled to excrete first discretion as the law requires, and that is all that the plaintiffs sak in this case.

Tapong on Mandanus, says, side page 14. "So share one is to set according to his discretion.

ening property.
It is secured to the plaintiffs by Section 14 of an Constitution, which I have quoted.
This right has been substitutially derived to them put issue to the defendant in ac-

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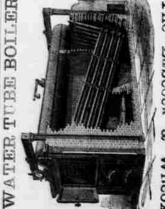
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